

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

CALVIN TUNSTALL (# N7324)

PETITIONER

v.

No. 3:06CV146-B-A

WARDEN BURNETT

RESPONDENTS

FINAL JUDGMENT

In accordance with the memorandum opinion issued today in this cause, that the instant petition for a writ of *habeas corpus* is hereby **DISMISSED** with prejudice and without evidentiary hearing as untimely filed under 28 U.S.C. § 2244(d). In light of this ruling, the petitioner's motions to amend his petition are hereby **DISMISSED**, as those motions do not address the timeliness of the instant petition.

SO ORDERED, this the 9th day of February, 2007.

Neal Biggers
NEAL B. BIGGERS
SENIOR U. S. DISTRICT JUDGE